

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ANDREW R. PERRONG)	
1657 The Fairway #131 Jenkintown, PA 19046)	
)	
Plaintiff,)	Civil Action
vs.)	No. 15-1807
)	
Risen Capital, LLC ("RISEN"),)	
1300 NW 17th Ave., #278 Delray Beach, FL 33445)	
)	
CRYSTIAN BARRERA, Individually and as)	
Chief Executive Officer / Principal of RISEN)	
1300 NW 17th Ave., #278 Delray Beach, FL 33445)	
)	
and)	
DOES 1 through 100, inclusive,)	
)	
Defendants.)	Jury Trial Demanded
)	

ORDER OF JUDGEMENT OF DEFAULT:

IT APPEARING that the complaint was filed on the 7th of April, 2015, and it FURTHERMORE appearing that the summons and complaint were duly served on defendants Risen Capital, LLC and CRYSTIAN BARRERA on April 13th, 2015, and FURTHERMORE appearing that the above-named defendants have failed to appear, plead, or otherwise defend, and FURTHERMORE appearing that nothing whatsoever has been filed by the above-named defendants as required to by law, and based on the MOTION and AFFIDAVIT submitted herein, NOW THEREFORE, upon motion of Plaintiff, **JUDGEMENT of DEFAULT** is hereby ENTERED in the sum of **\$73,500** against defendants Risen Capital, LLC and CRYSTIAN BARRERA, pursuant to Federal Rule of Civil Procedure Rule 55(b)(1)

By _____

Clerk of Court (Or Deputy)

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1300 NW 17th Ave., #278 Delray Beach, FL 33445)
and)
DOES 1 through 100, inclusive,)
Defendants.) Jury Trial Demanded

FILED

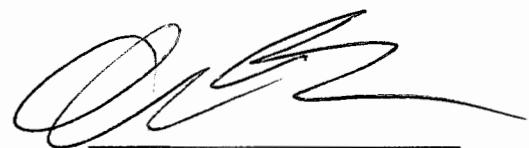
MAY 08 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

MOTION FOR JUDGMENT IN DEFAULT:

1. COMES NOW plaintiff Andrew Perrong and hereby requests that the Clerk of Court enter a judgement of default against defendants Risen Capital, LLC and CRYSTIAN BARRERA, pursuant to Federal Rule of Civil Procedure 55(b)(1).
2. In support of this motion, Plaintiff relies upon the record of this case and the affidavit submitted herein.

Dated: May 7, 2015



Andrew Perrong
Pro-Se Litigant
1657 The Fairway #131
Jenkintown, PA 19046
Phone: 215-791-6957
Facsimile: 888-329-0305
RISENlitigation@gmail.com

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FILED

MAY 08 2015

MICHAEL E. KUNZ, Clerk
Dep. Clerk

AFFIDAVIT OF ANDREW PERRONG
IN SUPPORT OF MOTION FOR JUDGEMENT OF DEFAULT:

COMES NOW plaintiff Andrew Perrong, who, having been duly sworn, swears and deposes as follows:

1. I am the Plaintiff Pro-Se in this action.
2. A summons and complaint was filed in this court on April 7th, 2015.
3. Service of process in accordance with Federal Rule of Civil Procedure 4 was accomplished as of the 13th of April, 2015.
4. Service was made to defendants Risen Capital, LLC and CRYSTIAN BARRERA.
5. An answer to the complaint was due on May 5th, 2015. Therefore, more than twenty one (21) days have passed since the defendants were served.

6. Defendants Risen Capital, LLC and CRYSTIAN BARRERA have not sought additional time within which to respond.

7. Pursuant to the Servicemembers Civil Relief Act, to the best of my information and belief, none of the defendants are in active military service.

8. To the best of my information and belief, defendants are neither minors nor incompetent persons.

9. Defendants Risen Capital, LLC and CRYSTIAN BARRERA have failed to appear, plead, or otherwise defend within the time allotted and are therefore now in default.

10. Plaintiff has received correspondence from Defendants' counsel, Sheldon Zipkin, requesting additional time, however this request was denied, and Plaintiff noted that Mr. Zipkin should make a motion requesting more time should he so desire.

11. However, since neither defendants nor Mr. Zipkin have made any appearance, pleadings, or motions before this court, including a motion for extension of time, defendants have nevertheless failed to appear, plead or otherwise defend, as private correspondence is irrelevant and not subject to the record of this Court. Therefore, defendants are in default.

12. The claim of the plaintiff is for statutory monetary damages of **\$73,500**. This amount is based on statutory damages of \$1,500 per violation, with seven telephone calls and seven violations per call. No additional relief, such as injunctive or common law relief is being sought at this point and time.

WHEREFORE, Plaintiff prays that the Clerk of Court judges default against the defendants Risen Capital, LLC and CRYSTIAN BARRERA in the sum of **\$73,500**

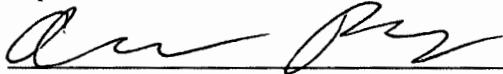
FURTHER AFFIANT SAYETH NAUGHT

Dated: May 7th, 20 15

Commonwealth of Pennsylvania

County of Bucks

Before me, the undersigned Notary Public,
this 7th day of May, 20 15,
personally appeared Andrew Perrong
to me known, who being duly sworn according to law,
deposes the above.



Signature

Subscribed and sworn to before me
this 7 day of May, 20 15



Victoria Yevaleenko

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
VICTORIA YEVALENKO, Notary Public
Lower Southampton Twp., Bucks County
My Commission Expires June 7, 2015

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 DOES 1 through 100, inclusive,)
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 Defendants.) Jury Trial Demanded
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FILED

MAY 08 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CERTIFICATE AND AFFIDAVIT OF SERVICE:

COMES NOW plaintiff Andrew Perrong, who, having been duly sworn, swears and deposes as follows:

1. I am the Plaintiff Pro-Se in this action.
2. I certify that on this date I caused a copy of the attached Motions, Affidavits, and

Proposed Orders of Entry of Default and Judgement of Default to be placed in an envelope, First Class Mail, postage paid, addressed to the following, which are the addresses for Defendants and counsel:

CRYSTIAN BARRERA / RISEN CAPITAL
1300 NW 17th Ave., #278
Delray Beach, FL 33445

SHELDON ZIPKIN
Counsel for Risen Capital
2020 NE 163rd Street, Suite 300
North Miami Beach, FL 33162

3. I further certify that said envelopes were placed into a locked receptacle of the United States Postal Service for entry into the Mails of the United States.

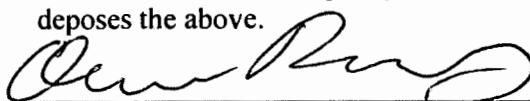
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Dated: May 7th, 20 15

Commonwealth of Pennsylvania)

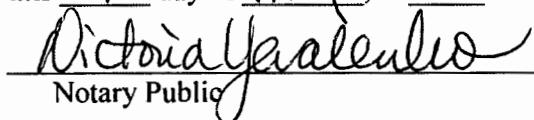
County of Bucks)

Before me, the undersigned Notary Public,
this 7th day of May, 20 15,
personally appeared Andrew Perrong
to me known, who being duly sworn according to law,
deposes the above.



Signature)

Subscribed and sworn to before me)
this 7th day of May, 20 15)


Notary Public)

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

VICTORIA YEVALENKO, Notary Public
Lower Southampton Twp., Bucks County
My Commission Expires June 7, 2015

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